S.B. Civil Writ Petition No.1330/97

Iqtadar Ali

Vs.

Rajasthan State Text Book Board & Anr.

Date of Order : 02/03/2006

Hon'ble Mr. Justice Ajay Rastogi

Smt. Nirja Khanna, for petitioner
None for respondents

Instant petition has been filed against the order of reversion from the post of Manager Gr.I to the post of Office Assistant vide order dt.31st January, 1997 [Ann.6]. The petitioner is substantively holding the post of Office Assistant/Manager Gr.II and the seniority list was published by the respondents on 17th March, 1989 wherein his name finds place at Serial No.13.

The case of the petitioner is that he is senior-most eligible applicant for promotion on the post of Manager Gr.I, which is 100% promotional post to be filled in the ratio of 1:1 i.e. seniority-cum-merit and merit. He too was promoted on adhoc basis vide order dt.19th January, 1996 [Ann.5] and while holding the post on adhoc basis, by the order impugned he was reverted after year of holding the post. Counsel contends that the petitioner is senior-most eligible person for

promotion and before passing order impugned, no opportunity of hearing was afforded to him. It is not the case of the petitioner that any person lower to him in seniority has been appointed on adhoc or regular basis as Manager Gr.I. and all those who were promoted on substantive basis as Manager Gr.I, are senior to him in the cadre.

In my opinion, the petitioner was promoted on adhoc basis, no right was otherwise conferred and in the absence of any person junior to him promoted either on adhoc or regular basis, no right of the petitioner is still said to be infringed.

Consequently, I find no force in the writ petition and the same is, accordingly, dismissed. No costs.

[Ajay Rastogi],J.

FRB